

**BOARD OF SELECTMEN
MEETING MINUTES
August 25, 2003**

*****DRAFT*****

PRESENT: THOMAS C. REYNOLDS JR, CHAIRMAN; DOUGLAS R. COOK, Co CHAIRMAN; BRIAN MCDONALD, SELECTMAN.

ADMINISTRATIVE COORDINATOR: ROBERT CHRISTENSEN
RECORDING SECRETARY: KELLY BUMPUS

GUEST: Naomi Bolton, Bill Drescher, Paul Morin, Joe Cox, Frank Campana, Burt Brown, Forrest Esenwine, Ginger Esenwine, Chuck Metcalf, Carol Wilson, Scott Dinsmore, Robert Richards, Newell Bailly Jr., Tim Maskeill.

The Selectmen's Meeting was held at the Town Office Building. Chairman Reynolds commenced the meeting at 6:00 p.m.

1. NONPUBLIC SESSION

Chairman Reynolds moved that the Board of Selectmen enter into Nonpublic Session at 6:00 p.m. pursuant to the authority granted in RSA 91-A:3 II (e). Seconded by Selectman McDonald. A roll call vote was taken. Selectman McDonald – yes; Chairman Reynolds – yes; Selectman Cook – yes. Motion passed unanimously.

In Attendance: Chairman Reynolds, Selectman McDonald, Selectman Cook, Mr. Paul Morin, Ms. Naomi Bolton, Mr. Bill Drescher, Mr. Robert Christensen, Ms. Kelly Bumpus.

Selectman Cook moved to come out of Nonpublic Session at 7:08 p.m. Seconded by Chairman Reynolds. A roll call vote was taken. Selectman McDonald – yes; Chairman Reynolds – yes; Selectman Cook – yes. Motion passed unanimously.

Selectman Cook moved to seal and restrict the minutes of the Nonpublic Session pursuant to the authority granted in RSA 91-A:3 III. Seconded by Chairman Reynolds. A vote was taken. Motion passed unanimously.

2. PUBLIC HEARING

Chairman Reynolds opened the Public Hearing at 7:10 p.m. for the purpose of accepting a donation for irrigation of Inerson Field. Chairman Reynolds stated that the Weare Athletic Club has volunteered to install a well and irrigation for the field. The Board discussed the fact that there may be an existing irrigation system, but there is no way to know where the pipes are. Chairman Reynolds asked for any public comment. Being none, Chairman Reynolds closed the Public Hearing at 7:13 p.m. Selectman McDonald made a motion to accept the donation of irrigation by the Weare Athletic Club. Seconded by Selectman Cook. A vote was taken. Motion passed unanimously. Selectman McDonald thanked the Weare Athletic Club for their generous donation. Selectman Cook requested Mr. Christensen send a letter of thanks to the Weare Athletic Club.

3. PUBLIC HEARING

Chairman Reynolds opened the Public Hearing at 7:14 p.m. for the purpose of accepting a donation of an ATV trailer to the Police Department. Chairman Reynolds stated that the trailer was donated by Specialized Trailer. Chief Rigney stated that the trailer is working great and the Police Department appreciates it. Chairman Reynolds asked for any public comment. Being none, Chairman Reynolds closed the Public Hearing at 7:18 p.m. Selectman Cook made a motion to accept the donation of the ATV trailer by Specialized Trailer. Seconded by Selectman McDonald. A vote was taken. Motion passed unanimously.

4. PUBLIC PARTICIPATION

Frank Campana – Mr. Campana stated that he had a question regarding the flyer from the Police Department. Mr. Campana stated that his notes show that when the previous two officers were hired, Selectman Cook asked the status of the Police Department, and Chief Rigney stated they were one full time officer short. Mr. Campana stated that the Police Department flyer indicates that there are three full time officers needed. Mr. Campana asked which number is correct? Chief Rigney responded that the number has not changed. Chief Rigney stated they have an eight man department, five positions which are filled, and three vacancies. Mr. Campana stated that his question was not the total number of officers, but rather the positions that are open. Chairman Reynolds stated that there have been changes in staff, but have to do with personnel issues which they cannot discuss.

Burt Brown – Mr. Brown stated he is wondering if there is anything they can do with the center of town? Mr. Brown stated that the posts at the center store look stupid. Mr. Brown stated that he was not in town last winter, but he assumes that they must have had a big problem. Mr. Brown stated something should be done to take the posts out. Chairman Reynolds stated that unfortunately, it was done by the State. Mr. Brown stated it would be nice if someone could take an interest in the center of town. Selectman Cook stated that the posts were put there to prevent cars parking there and blocking the line of site from Flanders Memorial Drive. Mr. Brown stated he thinks they should work with the State to see if they can come up with something more appealing. Chief Rigney stated that he believes the new owners are very cooperative and maybe something else can be done. Mr. Brown stated that the granite posts in front of the Stone Building have been knocked down for months. Chairman Reynolds stated that Mr. Carl Knapp will be taking care of that. Mr. Christensen suggested he arrange a meeting with the DOT and the store owners to discuss options for the area with the posts. The Board agreed.

5. PUBLIC HEARING

Chairman Reynolds opened the Public Hearing at 7:25 p.m. for the purpose of accepting a donation of use of an ATV for the Police Department. Chairman Reynolds stated that the donation was made by Milwaukee Iron Works. Chairman Reynolds asked for public comment.

Frank Campana – Mr. Campana stated he would like to refer to the meeting minutes of May 19th. Mr. Campana stated that when Selectman Methot wanted to donate work for the Safety Complex, Selectman McDonald stated that he was against it and was concerned with public perception. Mr. Campana stated he would like to hear why Selectman Methot's proposal was not accepted, and this one made by Selectman Cook is accepted. Mr. Campana stated that it is possible that Selectman Cook could profit by this donation. Mr. Campana stated that if the ATV is not big enough, certainly the person who has donated it could offer to sell the Town a bigger or better vehicle. Mr. Campana also stated that the donation can be taken as a tax deduction. Chairman Reynolds stated he would respond to Mr. Campana's concerns after asking for further public comment. Chairman Reynolds asked for any public comment.

Chief Myles Rigney – Chief Rigney stated that he approached Selectman Cook regarding the possibility of the Police Department purchasing an ATV. Chief Rigney stated that Selectman Cook cannot provide any repairs to the ATV. Chief Rigney explained the ATV will be used for the winter and then returned to Milwaukee Iron

Works. Chief Rigney stated that Selectman Cook provided the Police Department with the use of a new ATV and will be getting a used one in return. Chief Rigney stated that if Mr. Campana can find a way that this is a profit maker, then he would like to work for Mr. Campana. Chief Rigney thanked Selectman Cook for the donation of the training tool. Chairman Reynolds asked for any public comment.

Frank Campana – Mr. Campana stated he means not to belittle people who donate things, and appreciates Chief Rigney's explanation. Mr. Campana stated that there is a chance of profit from this donation. Mr. Campana stated he was only making a comparison to the donation offered by Selectman Methot. Chairman Reynolds asked for public comment. Being none, Chairman Reynolds closed the Public Hearing at 7:26 p.m. Chairman Reynolds stated that this donation is much different than the one offered by Selectman Methot because there is no money changing hands. Selectman McDonald stated that the donation offered by Selectman Methot started out as saving the Town thousands of dollars, and when he saw the final proposal, the savings were very small. Selectman McDonald stated he also received no proof that there was no profit being made, which he had requested. Selectman Cook stated that he would have loved to donate the ATV to the Police Department in full, but is a small business owner and cannot afford such a donation. Selectman Cook stated he will receive the unit back used and will sell it as a demo unit. Selectman McDonald made a motion to accept the donation of the ATV by Milwaukee Iron Works. Seconded by Chairman Reynolds. A vote was taken. Motion passed 2 in favor; 1 abstention (Selectman Cook).

6. PUBLIC HEARING

Chairman Reynolds opened the Public Hearing at 7:28 p.m. for the purpose of accepting the donation of emergency equipment bags for the Parks and Recreation Department. Chairman Reynolds stated that the donation was made by the Police and Fire Associations. Selectman McDonald stated he was thankful to the two parties for the donation. Chairman Reynolds asked for any public comment. Being none, Chairman Reynolds closed the Public Hearing at 7:42 p.m. Selectman Cook made a motion to accept the donation of the emergency bags. Seconded by Selectman McDonald. A vote was taken. Motion passed unanimously.

7. PUBLIC HEARING

Chairman Reynolds opened the Public Hearing at 7:45 p.m. for the purpose of accepting a fee structure for recouping negligent costs. Chief Bob Richards provided the Board with the new fee structure. The Board reviewed and discussed the fee structure. Chief Richards stated the Board will need to draft an ordinance to bill the fees. Chairman Reynolds asked for any public comment. Being none, Chairman

Reynolds closed the Public Hearing at 7:52 p.m. Selectman Cook stated the Board can draft up an ordinance and accept it at the next meeting.

8. OLD BUSINESS

House Bill 608 –

Selectman Cook stated that there is a memo from Mr. Robert Flanders in regards to the House Bill 608 and what it means for the Town. Selectman Cook stated that it means \$263,000.00 in State aid for educational purposes next year, and \$553,000.00 the following year. Selectman Cook stated that it looks like they are doing some work on, and revisiting the education formula. Selectman Cook stated this may be something people can endorse.

Safety Complex –

Selectman Cook stated that the Safety Complex is going well. Selectman Cook stated that he noticed in Mr. Christensen's report that there had been some vandalism. Mr. Christensen stated there had been some damage to windows and wiring. Selectman Cook requested Mr. Christensen contact Primex Insurance. Selectman Cook stated he would like to remind the public that this is their building, and requested they keep their eyes and ears open. Chief Rigney stated they have made some changes to prevent this in the future.

9. PUBLIC HEARING

Chairman Reynolds opened the Public Hearing at 8:03 p.m. for the purpose of hearing the Police Department's proposal for increased parking violation fees and that all no parking zones are tow-away zones. Chief Rigney went over the increased fees with the Board. Chief Rigney discussed illegal tractor trailer parking. Chief Rigney stated that the current fines have been around for years, and the officers are running into violators who are willing to pay the small fees to stay illegally parked. Chief Rigney stated he would like the public to know that any no parking zones are tow away zones and officers have been instructed to tow vehicles. Chairman Reynolds asked for any public comment. Being none, Chairman Reynolds closed the Public Hearing at 8:13 p.m. Selectman McDonald stated he thinks this is a good idea. The Board discussed increasing the fines for parking in fire lanes and fire hydrants even further. Selectman McDonald made a motion to accept the increased parking violation fees. Seconded by Chairman Reynolds. A vote was taken. Motion passed unanimously.

10. PUBLIC HEARING

Chairman Reynolds opened the Public Hearing at 8:17 p.m. for the purpose of hearing the Police Department's proposal for a new ordinance banning tractor trailer parking on town owned property. Chief Rigney stated that tractor trailer parking has torn up the field across the street. Chief Rigney stated that this area is designated as an emergency pick up spot for the school buses. Chief Rigney stated that the public must remember that there are two registered sex offenders in the area and they do not want to provide dark hiding places in areas where children are. Chairman Reynolds asked for public comment. A member of the audience asked what if a person parks there to run into the store? Chief Rigney stated he does not see a problem with parking there for a few minutes. Chief Rigney stated that if a person comes to him with a ticket for parking a trailer there to run into the store, the officer involved would receive a lecture in discretion. Chairman Reynolds closed the Public Hearing at 8:31 p.m. Selectman McDonald stated he agrees with the ordinance one hundred percent. Chairman Reynolds made a motion to adopt the ordinance. Seconded by Selectman McDonald. A vote was taken. Motion passed unanimously.

11. DISCUSSION OF SAWYER ROAD EXPANSION

The Board met with Mr. and Mrs. Fulmore regarding the widening of Sawyer Road. Mr. Paul Morin stated that the Planning Board's final decision had been for the Sawyer's to come before the Board of Selectmen to make sure the Board was in favor of the widening, and then come back to the Planning Board with plans. Mr. Morin stated that for many reasons, this was not communicated to the Board of Selectmen. Mr. Fulmore stated they are in the process of getting the surveying done. Mrs. Fulmore stated that when they last met with the Board of Selectmen, they waived the engineering on the road. Mr. Morin stated that surveying drawings will be fine. Mr. Morin stated that they are operating under a variance that states the road must be twenty feet wide. Mr. Morin stated that this cannot be changed for certain areas that it may not be possible to be twenty feet wide. Mr. Morin stated he is not comfortable with the project. Mr. Morin stated he believes there may be a problem with ditches. Selectman Cook asked if it would be reasonable to ask for a drawing of what is going to take place before any work is done. The Fulmore's agreed to provide drawings. Selectman Cook stated that once they have drawings, the Board can go down there with Mr. Carl Knapp and take a look at it before any work is done. Chief Richards requested to be present for the site walk.

12. PUBLIC HEARING

Chairman Reynolds opened the Public Hearing at 9:12 p.m. for the purpose of accepting gifts given to Parks and Recreation for Bolton Field. Chairman Reynolds went over the donations. Chairman Reynolds asked for any public comment. Being

none, Chairman Reynolds closed the Public Hearing at 9:15 p.m. Selectman Cook made a motion to accept the gifts for Bolton Field. Seconded by Chairman Reynolds. A vote was taken. Motion passed unanimously.

13. PUBLIC HEARING

Chairman Reynolds opened the Public Hearing at 9:16 p.m. for the purpose of accepting a new skateboard ordinance. Mr. Chuck Metcalf stated that there has always been a sign at the park with the rules, but for the Police Department to enforce them, they need an ordinance. Chairman Reynolds asked for public comment. Being none, Chairman Reynolds closed the Public Hearing at 9:18 p.m. Selectman McDonald made a motion to adopt the skateboard ordinance. Seconded by Selectman Cook. A vote was taken. Motion passed unanimously.

14. PARKS AND RECREATION

Mr. Metcalf stated that there has been a lot of discussion regarding lawn care. Mr. Metcalf stated that Parks and Recreation did not hire the contractor, although they pay for a portion of the lawn care. Mr. Metcalf asked if Parks and Recreation can have control of their portion of the lawn care next year? Selectman Cook stated that they are going to break the contract up next year. A discussion was had regarding Puritan Field and the poor condition it is in. Selectman McDonald instructed Mr. Jim Blouin to find another contractor to take care of Puritan Field.

15. FIRE DEPARTMENT

Engine Pumps -

Chief Richards stated that they had four engine pumps tested and two failed. Chief Richards stated that there is an estimate of \$3,400.00. Chief Richards stated that it is in the best interest of the community to have them repaired. Selectman Cook asked Chief Richards if he has money in his budget to cover the cost? Chief Richards stated that they will probably be able to take care of it, but if something happens in the future, he will need to come back to the Board.

Gas Boy -

Chairman Reynolds stated he has a problem with the fact it is going to cost an additional \$2,000.00 to fix. Selectman Cook stated that the current software will not work and new software is needed. Selectman Cook stated that between the three departments, they should be able to cover this cost. Chief Richards expressed concern

over the additional cost. Chief Rigney stated that if the Highway Department is willing to cover \$1,000.00, then the Police Department will cover the remaining \$1,000.00.

16. NWS STORAGE, LLP LAND TO BE REMOVED FROM CURRENT USE

Selectman McDonald made a motion to LLP land from current use with a penalty charge of \$10,000.00 as recommended by the Town Assessor. Seconded by Chairman Reynolds. A vote was taken. Motion passed unanimously.

17. ASSESSING OPTIONS

The Board had a discussion regarding assessing options. They discussed the two proposals the Town received. Selectman Cook requested Mr. Christensen forward the Avitar proposal to Town Counsel.

18. OLD BUSINESS

Continuation of the Personnel Policy Public Hearing -

Mr. Metcalf and Mr. Christensen went over changes to be made and points of concern. Mr. Metcalf requested any further changes be noted and held for future approval. Selectman McDonald made a motion to accept proposed changes to the personnel policy. Seconded by Selectman Cook. A vote was taken. Motion passed unanimously.

Boat Ramp -

Mr. Metcalf informed the Board that the State does not in any way want to interfere with any decision of the Town concerning the boat ramp. The Board had a discussion with Mr. Metcalf regarding Chase Park being open with no attendants. Selectman Cook made a motion to have the Highway Department install a barrier on the boat ramp. Seconded by Selectman McDonald. A vote was taken. Motion passed 2 in favor; 1 abstention (Chairman Reynolds).

Manifests -

Chairman Reynolds authorized the Board of Selectmen to sign manifests and order the Treasurer to sign checks dated August 22, 2003. Accounts Payable – \$666,344.90, Gross Payrolls - \$12,863.96, for a total of - \$679,208.86. Seconded by Selectman Cook. A vote was taken. Motion passed unanimously. Chairman Reynolds authorized the Board of Selectmen to sign manifests and order the Treasurer to sign checks dated

August 29, 2003. Estimated Accounts Payable – \$200,000.00, Estimated Gross Payrolls - \$30,000.00, for an estimated total of - \$230,000.00. Seconded by Selectman Cook. A vote was taken. Motion passed unanimously.

19. NEW BUSINESS

Office Equipment -

Mr. Christensen informed the Board that the lease on the copier is up, and the Town now owns it for \$1.00. Mr. Christensen stated that the maintenance for the copier is not worth it, and the Town can receive a new one for less. The Board agreed the copier should be replaced and the old one sold at auction.

20. NONPUBLIC SESSION

Chairman Reynolds moved that the Board of Selectmen enter into Nonpublic Session at 12:38 a.m. pursuant to the authority granted in RSA 91-A:3 II (a) and (c). Seconded by Selectman Cook. A roll call vote was taken. Selectman McDonald – yes; Chairman Reynolds – yes; Selectman Cook – yes. Motion passed unanimously.

In Attendance: Chairman Reynolds, Selectman McDonald, Selectman Cook, Mr. Robert Christensen, Ms. Kelly Bumpus.

Selectman Cook moved to come out of Nonpublic Session at 12:57 a.m. Seconded by Selectman McDonald. A roll call vote was taken. Selectman McDonald – yes; Chairman Reynolds – yes; Selectman Cook – yes. Motion passed unanimously.

Selectman Cook moved to seal and restrict the minutes of the Nonpublic Session pursuant to the authority granted in RSA 91-A:3 III. Seconded by Selectman McDonald. A vote was taken. Motion passed unanimously.

21. ADJOURNMENT

Chairman Reynolds made a motion to adjourn at 12:58 a.m. Seconded by Selectman McDonald. A vote was taken. Motion passed unanimously.

Kelly Bumpus, Recording Secretary